

NEBRASKA DEPARTMENT OF EDUCATION  
SCHOOL FINANCE AND ORGANIZATION SERVICES

STATE COMMITTEE FOR THE  
REORGANIZATION OF SCHOOL DISTRICTS

Reorganization of school districts may include any one or more of the following: (1) The creation of new districts from other districts; (2) the uniting of one or more established districts; (3) the subdivision of one or more established districts; (4) the transfer and attachment to an established district of a part of the territory of one or more districts; (5) the affiliation of a Class I district or portion thereof with one or more Class II, III, IV, or V districts; (6) the changing of boundaries of a Class VI district; and (7) the dissolution or disorganization of an established district for any of the reasons specified by law.

Reorganization of school districts may also include (1) the formation of new school districts that will become members of a learning community, (2) the alteration of boundaries of established school districts that are members of a learning community, (3) the dissolution or disorganization of established school districts that are members of a learning community, and (4) any other alteration of school district boundaries involving a school district that is a member of a learning community.

The procedure for any reorganization of school districts should be based on information gathered in the process of a formal study and the knowledge that members of local school boards can bring to a discussion. The Nebraska statutes provide several processes whereby the reorganization of school districts may occur. The following are ways to reorganize school districts.

1. R.R.S. §79-413 (Petitions of the People) ~ which is used for school dissolutions, mergers, or land transfers. These petitions require the signatures of at least 60% of the legal voters of the district.
2. R.R.S. §79-415 (Board to Board Petitions) ~ provides changes in boundaries and the creation of a new school district from other districts may be initiated and accepted by the school board or board of education of any district that is not a member of the learning community, pursuant to §79-413.
3. R.R.S. §79-4, 108 (Interlocal Agreement ~ Unifications): Unified system means two or more Class II or III school districts participating in an Interlocal agreement under the Interlocal Cooperation Act with approval from the State Committee for the Reorganization of School Districts.
4. R.R.S. §79-447 (Call for Election – Subject to a Special Election) and R.R.S. §79-452 (Dissolution of Class II School District) ~ After the designation of a final approved plan, the proposition of the adoption or rejection of the proposed plan shall be submitted at a special election to all the legal voters of the districts within the county whose boundaries are in any manner changed by the plan.

5. R.R.S. §79-4,117 to 79-4, 129 (Learning Community Reorganization Plans) Procedures for reorganization of school districts in a Learning Community need the approval of the Learning Community Coordinating Council, the school boards from each district affected, and the State Committee for the Reorganization of School Districts.

The final manner in which school district boundaries may be changed is through various statutes that are carried out on the local level by county officials.

- Freeholding is permitted under specific conditions pursuant to Sections 79-458 after approval by a board consisting of the county clerk, county assessor and county treasurer.
- Encapsulated property may be transferred pursuant to the procedures in Section 79-458.01.
- Land that is annexed by a city may require the changing of boundaries by the county clerk for the school district in that city pursuant to sections 79-473.
- In addition, section 79-10,119 provides that real estate purchased by a school district, which adjoins the current school district boundaries, shall constitute an annexation of such real estate to the school district for which the county clerk can adjust the boundaries of the school districts involved. With any changes made by local county officials under this general category, the changes need to be reported to the State Committee so that the state records are also adjusted to reflect the changes made.

If you have any questions regarding the State Committee for the Reorganization of School Districts, please feel free to contact Micki Iverson (402) 471-1894 or Russ Inbody (402) 471-4320.

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